

An ordinance for ascertaining the mode of disposing of lands in the Western Territory

An **ORDINANCE** for ascertaining the Mode of disposing of **LANDS** in the **WESTERN TERRITORY**.

BE IT **ORDAINED** BY THE **UNITED STATES IN CONGRESS** ASSEMBLED, **THAT** the territory ceded by individual states to the United States, which has been purchased of the Indian inhabitants, shall be disposed of in the following manner.—

A surveyor from each state shall be appointed by Congress, who shall take an oath for the faithful discharge of his duty, to be administered by the geographer of the United States, who is hereby empowered and directed to administer the same.

The geographer, (under whole direction the surveyors shall act) shall [form?] regulations for their conduct, as he shall deem necessary; and shall have authority to suspend them for misconduct in office, and shall make report of the same to Congress.

The surveyors shall proceed to divide the said territory into townships of seven miles square, by lines running due north and south, and others crossing these at right angles, unless where the boundaries of the late Indian purchases may render the same impracticable, and then they shall depart from this rule no farther than such particular circumstances may require.

There shall be allowed for the surveyor of a township at the rate of two dollars per mile, including the wages of chain carriers, markers, and every other expence, and so in proportion for every fractional part of a township.

The first line running north and south as aforesaid, shall begin on the Ohio, at a point that shall be found to be due north from the termination of a line which has been run as

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the southern boundary of the state of Pennsylvania; and the first line running east and west shall begin at the same point, and shall extend throughout the whole territory. The geographer shall designate the townships or parts of townships, by numbers progressively from south to north, always beginning each range with No. 1; and the range shall be distinguished by their progressive numbers to the westward. The first range extending from the Ohio to the lake Erie, being marked No. 1.

The lines shall be measured with a chain; shall be plainly marked by chaps on the trees, and exactly described on a plat, whereon shall be noted at their proper distances all mines, salt springs, and salt licks that shall come to his knowledge, and all water courses, mountains, and other remarkable and permanent things, over or near which such lines shall pass.

The plats of the townships respectively, shall be marked by subdivisions into sections of one mile square, or 640 acres, in the same direction as the external lines, and numbered from 1 to 49. Always beginning the succeeding range of the sections with the number next to that which the preceding one concluded. And where from the causes before mentioned, only a part of a township shall be surveyed, the sections protracted thereon, shall bear the same numbers as if the townships had been entire, And their sections shall be subdivided into lots of 320 acres.

The geographer and surveyors, shall pay the utmost attention to the variation of the magnetic needle; and shall run and note all lines by the true meridian, certifying with every plat what was the variation at the times of running the lines thereon noted.

As soon as five ranges of townships, and fractional parts of townships, in the direction from south to north, shall have been surveyed from time to time, the geographer shall transmit plats thereof to the board of treasury, who shall record the same with the report, in well bound books to be kept for that purpose. The Secretary at war shall take by lot therefrom, a number of townships and fractional parts of townships, equal to one

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seventh part of the whole of such five ranges, as nearly as may be, for the use of the late continental army, to be applied in manner hereinafter directed. The board of treasury shall then cause the remaining numbers to be drawn for in the name of the thirteen states respectively, according to the quotas in the last preceding requisition on the states; provided that in case more land than its proportion is allotted for sale in any state at any distribution, a deduction be made therefor at the next.

The board of treasury shall transmit duplicates of the said original plats so drawn for, to the commissioners of the loan-offices of the several states, who after giving notice of not less than two nor more than six months, by causing advertisements to be posted up at the courthouses, or other noted places in every county, and to be inserted in one newspaper published in the states of their residence respectively, shall proceed to sell the townships or fractional parts, as public vendue; or he may sell any township by sections, provided he sells them in the order of their number on the plat, and not otherwise, and that he does not offer a second township for sale by sections, till the whole of the former is sold: provided that none of the lands within the said territory, be sold unless the price of one dollar the acre, to be paid in specie or loan-office certificates reduced to specie value by the scale of depreciation, or certificates of liquidated debts of the United States, including interest, besides the expence of the survey and other charges thereon, which are hereby rated at forty nine dollars the township, in specie or certificates as aforesaid, and so in the same proportion for a fractional part thereof.

When any township or part of a township shall have been sold as aforesaid, and the money or certificates received therefor, the loan officer shall deliver a deed in the following terms.

To all to whom these presents shall come greeting, Know ye, That for the consideration of the United States of America, have granted unto **C.D.** the township or parts of a township numbered to hold to the said **C.D.** his heirs and assigns for ever, subject nevertheless to such reservations as are contained in an ordinance, bearing date the day of in the year

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In witness whereof, the said **A.B.** loan officer of the said state, hath hereunto set his hand, and affixed the seal of his office, this day of in the year and of the independence of the United States of America the Which deed shall be recorded in proper books, and shall be certified to have been recorded previous to its being delivered to the purchaser.

The commissioners of the loan-offices respectively, shall make returns to the board of treasury every three months, of the sales of the townships, or parts of townships committed to their charge, with the persons names to whom sold; and shall transmit all sums of money or certificates as aforesaid received for the same, which shall be duly entered in the books of the treasury.

If any townships or part of township remains unsold for eighteen months, after the plat shall have been received by the commissioners of the loan office, the same shall be returned to the board of treasury, and shall be sold in such manner as Congress may hereafter direct.

There shall be reserved for the United States out of every townships, the four corner sections, being numbered 1, 7, 43, 49, and out of every part of a township, so many sections of the same numbers as shall be found thereon.

Also one third part of all gold, silver, lead and copper mines, to be sold, or otherwise disposed of, as Congress shall hereafter direct.

There shall be reserved the central section of every township, for the maintainance of public schools within the said township. And whereas Congress by their resolutions of September 16th and 18th, in the year 1776, and the 12th of August 1780, stipulated grants of land to the officers and soldiers who had engaged or should engage in the service of the United States during the war, and continue therein to the close of the same, or until discharged by Congress, and to the representatives of such officers and soldiers as should be slain by the enemy, in the following proportions, to wit. To a major general 1100

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acres, to a brigadier 850, to a colonel 500, to a lieutenant colonel 450, to a major 400, to a captain 300, to a lieutenant 200, to an ensign 150, and to a noncommissioned officer and soldier 100. For complying therefore with such engagements, be it ordained, That the secretary at war, from the returns in his office, or such other sufficient evidence as the nature of the case may admit, determine who are the objects of the above resolution and engagements, and the quantity of lands to which such persons or their representatives are respectively entitled, and cause the township or fractional parts of townships herein before reserved for the use of the late continental army, to be drawn for in such manner as he shall deem expedient, to answer the purpose of an impartial distribution.

He shall from time to time transmit certificates, to the commissioners of the loan offices of the different states, to the lines of which the military claimants respectively belong, specifying the name and rank of the party, the terms of his engagement, and time of his service, and the division, brigade, regiment or company to which he belonged, the quantity or land he is entitled to, and the township out of which his portion is to be taken.

The commissioners of the loan-offices shall execute deeds for such undivided proportions in manner and form herein before mentioned, varying only in such a degree as to make the same conformable to the certificate from the secretary at war.

Where any military claimants of bounty in lands shall not belong to the line of any particular state, similar certificates shall be sent to the board of treasury, who shall execute deeds to the parties for the same.

The board of treasury, and the commissioners of the loan-offices in the states, shall within eighteen months, return receipts to the secretary at war, for all deeds which have been delivered, as also all the original deeds which remain in their hands for want of applicants, which deeds so returned shall be preserved in the office until the parties, or their representatives require the same.

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